PTO/SR/FT (09-h4)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/805.788 **MRANSMITTAL** 2 2 2007 Filing Date Mar 22, 2004 AL **FORM** First Named Inventor Quay, Steven C. PATEN Art Unit 1654 used for all correspondence after initial filing) **Examiner Name Thomas Sweeney Heard** Total Number of Pages in This Submission Attorney Docket Number 03-04US **ENCLOSURES** (Check all that apply) After Allowance communication to (TC) Fee Transmittal Form Drawing(s) Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to TC Amendment / Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final **Proprietary Information** Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please identify Х **Extension of Time Request** Terminal Disclaimer below): Form SB08a - page two with correction **Express Abandonment Request** Request for Refund in red Information Disclosure Statement -CD, Number of CD(s)_ Substitute page 2 only Landscape Table on CD Certified Copy of Priority Document(s) Remarks Reply to Missing Parts/ Incomplete Application On August 19, 2005, we filed a three-page IDS. We noted a typographical error on the first line of the "U.S. Patent Documents" section. The Takeda Chemical Reply to Missing Parts under Industries (corrected from Coflexip) U.S. Patent Number has been corrected from 37 CFR 1.52 or 1.53 5,428,706 to the correct patent number of 5,482,706. Please switch out the prior page two for this new page two. Thank you. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Nastech Pharmaceutical Company Inc. Signature Printed name Peter . Knudsen Date 40682 January 18, 2007 Reg. No. CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below Signature Date January 18, 2007 Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicants: Quay et al.

Serial No.: 10/805,788

Filed: 3/22/2004

Title: NASAL CALCITONIN

FORMULATIONS CONTAINING

CHLOROBUTANOL

Assignee: Nastech Pharmaceutical Company

Inc. by Reel 014824 /Frame 0710

Group Art Unit: 1654

Examiner: Thomas Sweeney Heard

Attorney Docket No.: 03-04US

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUBSTITUTE INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants submit herewith a substitute Form PTO SB08a-Information Disclosure Statement by Applicant-page two only, to correct a typographical error on a U.S. patent number and name of Applicant cited.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit:

Typed Name: Kerry King

Signature:

Peter J. Knudsen

Attorney for Applicants

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Reg. No.: 40,682

PTO/SB/08a (08-03)

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Under the Paperwork Reduction Act of 1995, no persons are required to res					Application Number 10/805,788					
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INFORMATION DISCLOSURE						Filing Date 3/2		3/22/2	3/22/2004	
STATEMENT BY APPLICANT						First Na	med Inventor	et al.		
VIAILMENT DI AFFLIVANT					Art Unit					
(Use as many sheets as necessa				ary)		Examiner Name				
Sheet 2			of	of 3		Attorney Docket Number		03-04	03-04US	
				U.S. F	PATENT	DOCUME	ENTS		<u> </u>	
- .	0.1	Document Number	Publication MM-DD-Y		Date	,	Name of Patentee or		Pages, Columns, Lines, Who	
Examiner Initials*	Cite No.1	Number - Kir@)Code ^{2 (if known)}				Applicant of Cited Docume		nent	Relevant Passages or Relev Figures Appear	
		US-5,428,700 5,482,706	Issu	ed 6-27	-1995	Coflexi	MALGOS (Takedo Chemical Industria		
		US-5,482,931	Issu	ed 01-0	9-1996	Ferring	AB			
	<u> </u>	US-5,503,827	Issu	ed 04-0	2-1996	Boehrir	nger Mannheim G	mbH		
		US-5,508,260	ļ	ed 04-1						
		US-5,514,365		ed 05-0		Amylin Pharmaceuticals, Inc. Schiapparelli Salute S.P.A.				
		US-5,527,771		ed 06-1		4	Amylin Pharmaceuticals, Inc.			
		US-5,554,378		ed 09-1	·······	Takeda Chemical Industries,				
		US-5,565,423	•	ed 10-1		Hoechst Aktiengesellschaft Dott Research Laboratory				
		US-5,574,006								
		US-5,576,016	Issued 11-12-1996 Issued 11-19-1996		***************************************	Pharmos Corporation				
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		US-5,603,943	Issued 02-18-1997 Issued 08-05-1997		Dott Research Laboratory Poli Industria Chimica S.p.Al					
		US-5,654,000								
		US-5,681,811	Issu	ed 10-2	8-1997		otein Delivery, Inc.			
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		US-5,719,122	Issu	ed 02-1	7-1998	98 SmithKline Beecham Farmaceutici S.p.A. 98 Takeda Chemical Industries, 98 Danbiosyst UK Limited				
		US-5,725,852	Issue	ed 03-1	0-1998			ries,		
·············		US-5,725,871	Issu	ed 03-1	0-1998					
		US-5,733,569	Issu	ed 03-3	1-1998					
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		Foreign Patent Docum	nent		D	·	Name of Pate	ntoo or	Pages, Columns, Lines,	
Examiner Initials*	Cite No.1	Country Code ³ - Number ⁴ - Kind Co	de ⁵ (<i>if ki</i>	nown)		tion Date D-YYYY	Applicant of Cited		Where Relevant Passages or Relevant Figures Appear	
		GB 2 177 914 A		02-04-		1987	Chugai Seiyaku Kabushiki Kaisha			
		EP 0 358 234 A2			03-14-1990		Rorer International			
		EP 0 371 010 A1			05-30-1990		(Overseas) Inc. Yamanouchi			
		EP 0 418 697 A1				1004	Pharmaceutical Esseit s.a.s. La			
		EP 0 418 697 A1			03-27-1991		Chimico Farma Biologico Di A.	co		
		EP 0 471 618 A1	······································	***************************************	08-12-1991		Toyo Jozo Co.,	Ltd.		
		EP 0 489 217 A1) 489 217 A1			1992	DR. A Tosi Farmaceutici S.R.L.			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 'Applicant's unique citation designation number (optional). 'See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 'Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 'For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 'Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 'Applicant is to place a check mark here if English language Translation is attached.

Considered

Signature

Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Substitute for form 1449A/PTO					Complete if Known					
STATEMENT BY APPLICANT (Use as many sheets as necessary) Examiner Name Thomas Sweeney Heard	Substitute for form 1449A/PTO						Application Number		10/805,788		
STATEMENT BY APPLICANT (Use as many sheets as necessary)							Filing Date		3/22/2004		
Art Unit											
Examiner Name									 		
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US-5,482,931									Relevant Passages or Rele		
US-5,503,827			US-5,482,706	Issued 6-27-	1995	Takeda	Chemical Industrie	es, Ltd.			
US-5,508,260		***************************************	US-5,482,931	Issued 01-09	9-1996	Ferring	AB			***************************************	
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U.S-5,514,365			US-5.508.260	Issued 04-10	6-1996	Amvlin	Pharmaceuticals, I	nc.			
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US-5,554,378											
US-5,574,006				Issued 09-10	0-1996	Takeda Chemical Industri		es, Ltd.			
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FOREIGN PATENT DOCUMENTS Examiner Initials* No.1 Cite No.1 Country Code³ - Number⁴ - Kind Code⁵ (if known) Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document Name of Patentee o											
Examiner Initials* Cite No. Foreign Patent Document Cite No. Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) Publication Date MM-DD-YYYY Name of Patentee or Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Pages, Columns, Lines, Where Relevant Passages or Relevant P			US-5,733,569	Issued 03-3	1-1998	Novartis Corporation					
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Kabushiki Kaisha EP 0 358 234 A2 03-14-1990 Rorer International (Overseas) Inc.			Country Code ³ - Number ⁴ - Kind Coo		MM-DE		ion bate		Where Relevant Passages or Relevant Figures	T ⁶	
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Chimico Farmaco Biologico Di A. levoli & C.			EP 0 371 010 A1		05-30-	1990		co. Ltd.			
EP 0 489 217 A1 06-10-1992 DR. A Tosi Farmaceutici			EP 0 418 697 A1		03-27-	1991	Chimico Farmaco)			
	·····		EP 0 471 618 A1	08-12-1991					Ī		
S.R.L.			EP 0 489 217 A1	06-10-1992					<u> </u>		

Examiner Date Signature Considered

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁵Applicant is to place a check mark here if English language Translation is attached.

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Patent Office of the following: U.S. Utility patent

Application Serial No. 10/805,788:

Title: NASAL CALCITONIN FORMULATIONS

CONTAINING CHLOROBUTANOL

Inventors: Steven C. Quay, et. al.

Mailed to the Commissioner for Patents: 3/22/2004

X Substitute Information Disclosure Statement

X PTO Form SB08a – substitute page 2, plus copy of original with correction in red

X Transmittal Form

Attorney Docket No.: 03-04US, Project 0130